

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-093111

03/29/2005

COMMISSIONER HUGH HEGYI

CLERK OF THE COURT
A. Sedillo
Deputy

ATLAS NO. 000641552901
STATE OF ARIZONA, EX REL, DES
CHARLIE ERIKA HIRALEZ

FILED: 04/05/2005

AND

ROBBIE M LUTOSTANSKI

ROBBIE M LUTOSTANSKI
616 N ELM STREET
CHANDLER AZ 85226

AG-CHILD SUPPORT-EAST VALLEY
OFFICE
SUPPORT SERVICES-CCC

IV-D HEARING

Court Room 305

2:30 p.m. This is the time set for Establishment Hearing re Child Support.
Petitioner/Mother, Charlie Erika Hiralez, is present on her own behalf. Respondent/Father,
Robbie M. Lutostanski, is present on his own behalf. The State is represented by Assistant
Attorney General, Kathie A. Pearson.

A digital audio recording of this proceeding is being made by the "For The Record"
recording system in lieu of a court reporter.

Charlie Erika Hiralez and Robbie M. Lutostanski are sworn.

Counsel for the State advises the Court of the State's position and recommendations.

Robbie M. Lutostanski, having previously been sworn, now testifies.

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Charlie Erika Hiralez, having previously been sworn, now testifies.

Based on the testimony presented herein,

IT IS ORDERED that Father shall pay to Mother as support for the minor child of the parties \$318.17 per month effective January 1, 2005.

IT IS FURTHER ORDERED granting judgment in favor of Mother and against Father for child support arrearages in the amount of \$3,451.20 for the time period of 5/1/04 through 12/31/04. Said judgment earns interest at the legal rate from 1/1/05 (**this date is the first day of the first month after the end of the time period for the judgment**) until the judgment is paid in full.

IT IS FURTHER ORDERED granting judgment in favor of Mother and against Father for child support arrearages in the amount of \$2,660.05 for the time period of 12/1/03 through 4/30/04. Said judgment earns interest at the legal rate from 5/1/04 (**this date is the first day of the first month after the end of the time period for the judgment**) until the judgment is paid in full.

ALL SUPPORT PAYMENTS MUST BE MADE PAYABLE TO AND SENT TO:

**SUPPORT PAYMENT CLEARINGHOUSE
P.O. BOX 52107
PHOENIX, ARIZONA 85072-2107**

Pursuant to A.R.S. 25-510(C), the Clerk of the Superior Court will no longer be processing child support or spousal maintenance payments.

Superior Court clerks will continue to provide customer service and payment information, and will have access to automated records of the Support Payment Clearinghouse.

Please note that the handling fee prescribed by A.R.S. 12-284 for support payments made by order of assignment was increased to \$2.25 monthly (\$27.00 annually) by legislation effective January 1, 1998. The handling fee also must be sent to the Support Payment Clearinghouse.

Arizona Revised Statutes Section 25-503(I) states that, with certain exceptions, an unpaid child support judgment that became a judgment by operation of law (this means that it became a judgment when it was due and unpaid) expires three years after the emancipation of the last remaining unemancipated child who was included in the court order unless it is reduced to a formal written judgment by the court. An Obligee must apply in writing to the court to obtain a formal written judgment.

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Until the wage assignment becomes effective, it is the responsibility of the party obligated to pay support/maintenance to pay the support to **Support Payment Clearinghouse, P. O. Box 52107, Phoenix, Arizona 85072-2107**. The payment should show the case number and/or ATLAS case number and the name of the party paying support and the name of the party who will receive the payment.

IF PAYMENTS ARE MADE DIRECTLY TO THE PERSON WHO IS TO RECEIVE THE SUPPORT, THE PAYMENTS MAY BE CONSIDERED A GIFT AND NO CREDIT WILL BE GIVEN TOWARDS THE SUPPORT OBLIGATION.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

IT IS FURTHER ORDERED Mother shall claim the tax exemption two of every three years, beginning in 2006. Father may claim the tax exemption one of every three years, **provided he is current in his child support obligation by December 31 of the applicable tax year.**

The Court's further findings and orders are as contained in the formal written post paternity Establishment Judgment and Order signed by the Court on March 29, 2005 and filed (entered) by the Clerk on March 29, 2005.

IT IS FURTHER ORDERED approving and settling formal written Order of Assignment (\$318.17 current support; \$50 arrearages) signed by the Court this date.

FILED: Establishment Judgment and Order, Child Support Guideline Worksheet (3), Order of Assignment, Current Employer Information Sheet.

3:35 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service

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Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.